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REMARKS/ARGUMENTS

OCT 11 2006

Claims 20 through 25 remain pending in this application. Claims 1 through 19 and 26 through 30 are canceled.

The Office Action dated July 11, 2006 (hereinafter "the Action") objects to the specification because the first sentence of the specification should include the current status of the parent application. The paragraph of the specification after the Title and before the Background of the Invention is amended to replace "U.S. Application Serial No. 09/554,345" to read "U.S. Patent No. 6,602,533", as suggested by the Action. Reconsideration and withdrawal of the objection are respectfully requested.

Claims 20, 21, 24, and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,706,556 to Wallace et al. (hereinafter "Wallace").

Claim 20 provides a slicer for slicing of foodstuffs that includes a rotatable disc having a radial slot therein, a knife blade projecting above a plane defined by the rotatable disc, and a chute for downwardly conveying foodstuffs to the rotatable disc. The chute is at an acute angle with respect to a direction of rotation of the rotatable disc. An orifice is between the chute and the rotatable disc. The chute has a region tapering and extending forwards in the direction of rotation of the rotatable disc. The orifice between the chute and the rotatable disc is at the region of the chute. The orifice has a shape that decreases in width in the direction of rotation of the rotatable disc.

Wallace provides a potato chip manufacturing machine that includes a frame, an elongated oil cooking kettle mounted on the frame, and an oil circulation circuit connected to the oil for causing flow of cooking oil in a longitudinal direction through the cooking kettle.

The Action asserts that Figure 7 of Wallace teach a device that comprises a chute that extends in the direction of rotation. The Action further asserts that Figures 3 and 7 of

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Wallace teach a device that comprises an orifice being an ovate shape of decreasing width in the direction of rotation. Applicants respectfully disagree. Wallace merely provides "[a]n inclined feed tube 116 with upper and lower open ends is rigidly secured to plate 106." (col. 4, lines 12-15). Thus, as clearly shown in Figures 3 and 7, the Wallace feed tube does not have a region tapering and extending forwards in said direction of rotation of said rotatable disc, as provided in claim 20. Moreover, as clearly shown in Figures 3 and 7, Wallace fails to disclose or suggest that the orifice have a shape that decreases in width in the direction of rotation of the rotatable disc, as provided by claim 20, let alone an orifice being an ovate shape of decreasing width in the direction of rotation.

Accordingly, Wallace fails to disclose or suggest all of the features of claim 20 and claims 21, 24, and 25 depending therefrom.

In addition, dependent claim 21 provides the slicer of claim 20, and further includes that the orifice is an ovate shape of decreasing width in the direction of rotation of the rotatable disc.

As discussed above, Wallace fails to disclose or suggest that the orifice have a shape that decreases in width in the direction of rotation of the rotatable disc, as provided in claim 20, let alone that the orifice is an ovate shape of decreasing width in the direction of rotation of the rotatable disc, as recited by claim 21.

Dependent claim 24 provides the slicer of claim 20, and further includes that the radial slot has an adjustable width.

The Action asserts, as shown by reference numerals 112 and 114 in Figure 7, that the radial slot is capable of varying widths by adjusting the blade. Applicants respectfully disagree. Wallace merely provides that "[t]urntable 110 has a slot opening 112 with a slicing knife 114 mounted therein" and that "[a]s the turntable 110 rotates, knife 114 intermittently comes in contact with the bottommost portion of the potato and sequentially slices a portion from the potato to create potato slice 120. Potato slice 120 may drop from any portion of turntable 110 and fall directly into the oil 41 since the entire turntable 110 is

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located over the oil 41." (col. 4, lines 9-11 and 15-21). Nowhere in Wallace is a radial slot that has an adjustable width, as provided by claim 24, disclosed or suggested.

Dependent claim 25 provides the slicer of claim 21, and further includes that the chute terminates in a housing covering and conforming to said ovate shape.

As discussed above, as clearly shown in Figures 3 and 7, the Wallace feed tube does not have a region tapering and extending forwards in said direction of rotation of said rotatable disc, as provided in claim 20, let alone terminating in a housing covering and conforming to said ovate shape, as provided by claim 25.

Therefore, Wallace fails to disclose or suggest all of the features of independent claim 20 and dependent claims 21, 24, and 25. Reconsideration and withdrawal of the 35 U.S.C. §102(b) rejection to claim 20 and claim 21, 24, and 25 depending therefrom are respectfully requested.

Claim 22 stands rejected under 35 U.S.C. §103(a) as being unpatentable over by Wallace as applied above, in view of U.S. Patent No. 3,280,723 to Hughes et al. (hereinafter "Hughes").

Claim 22 provides the slicer of claim 20, and further includes that the chute has an elbow therein.

Wallace is described above. Hughes provides an apparatus for preparing and dispensing potato chips and which is so designed that in response to the actuation of a push-button or other manually-actuatable switch the apparatus will prepare and deliver a measured quantity of hot, cooked-to-order potato chips.

As discussed above, Wallace fails to disclose or suggest that the chute has a region tapering and extending forwards in the direction of rotation of the rotatable disc and that the orifice between the chute and the rotatable disc is at the region of the chute where the

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orifice has a shape that decreases in width in the direction of rotation of the rotatable disc, as provided by claim 20.

Hughes also fails to disclose or suggest that the chute has a region tapering and extending forwards in the direction of rotation of the rotatable disc and that the orifice between the chute and the rotatable disc is at the region of the chute where the orifice has a shape that decreases in width in the direction of rotation of the rotatable disc, as provided by claim 20.

Therefore, Wallace and Hughes, alone or in combination, fail to disclose or suggest all of the features claim 20 and claim 22 depending therefrom. Reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection to claim 22 are respectfully requested.

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over by Wallace as applied above, in view of German Patent No. DE 19548209C1 to Hyeong-Jin et al. (hereinafter "Hyeong-Jin").

Claim 23 provides the slicer of claim 20, and further includes that the orifice is of a tear drop shape with a narrow end pointed in the direction of rotation of said rotatable disc.

Wallace is described above. Hyeong-Jin provides a cutter that has a holder in the form of a flap which swivels on a pivot point. The force of a spring acts upon the flap to close it in the direction of the rear wall of the entry chute with regard to the direction of rotation of the knife. The pivot axis is located on the entry chute wall lying opposite the rear wall. The flap in cross section perpendicular to its longitudinal extent is formed as a flat U-shaped paddle.

As discussed above, Wallace fails to disclose or suggest that the chute has a region tapering and extending forwards in the direction of rotation of the rotatable disc and that the orifice between the chute and the rotatable disc is at the region of the chute where the orifice has a shape that decreases in width in the direction of rotation of the rotatable disc, as provided by claim 20.

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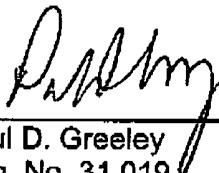
Hyeong-Jin also fails to disclose or suggest that the chute has a region tapering and extending forwards in the direction of rotation of the rotatable disc and that the orifice between the chute and the rotatable disc is at the region of the chute where the orifice has a shape that decreases in width in the direction of rotation of the rotatable disc, as provided by claim 20.

Therefore, Wallace and Hyeong-Jin, alone or in combination, fail to disclose or suggest all of the features claim 20 and claim 23 depending therefrom. Reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection to claim 23 are respectfully requested.

In view of the above, reconsideration and withdrawal of the rejections of the claims and passage of this application to allowance are respectfully requested.

Respectfully submitted,

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